**Summary of Public Comment Action Items**

Please find below a brief overview of the issues that were raised in those comments that were flagged as action items in the [color coded action item list](https://community.icann.org/download/attachments/49351404/Color%20Coded%20Public%20Comment%20Review%20Tool-Action%20Items-26%20May.pdf?version=1&modificationDate=1432815256181&api=v2). This is just a summary to facilitate discussions. You are expected to have reviewed the full submissions which can be found here: <http://forum.icann.org/lists/comments-cwg-stewardship-draft-proposal-22apr15/index.html>.

**General Comments**

3 comments

* Clarity of roles needed and clarity on where accountability lies (Nominet)
* Further emphasis in the proposal on the need for open consultation concerning all fundamental decisions (Nominet)
* Proposal should embody the principle of geographic diversity (CNNIC)

**Section I – The Community’s Use of IANA**

2 comments

* .INT – neither ICANN nor the IANA functions operator should be involved in running a TLD (NCSG)
* Unclear whether IETF’s competence to reserve of designate the TLDs is recognized (Peter Koch)

**Section II – Existing Pre-Transition Arrangements**

1 comment

* Suggested edits for readability (RySG/RrSG)

**Section III - Proposed Post-Transition Oversight and Accountability - PTI**

15 comments

* Numbers community will not rely on PTI but do not foresee incompatibility with CWG proposal (NRO)
* Existing IANA staff should transfer to PTI – asking a new and inexperienced entity outside of ICANN to perform the IANA functions could pose problems (US Council for IB, BC)
* Process for designing the PTI-IANA contract, including community consent, should be included (Swedish Government Offices)
* IEFT will not rely on PTI but continue the current arrangements with ICANN (IAB IANA Evolution)
* Suggestions on budget management (AFNIC) – *dealt with by DT O*
* Changed arrangements should not negatively impact on staff, to ensure continued funding of PTI, a percentage of registry fees should be earmarked for the performance of the IANA naming functions. (RySG/RrSG)
* PTI Board should be comprised of the ICANN board itself or a subset of ICANN Board members
* PTI should be full subsidiary of ICANN and should be fully controlled by ICANN (SIDN)
* Should structure (LLC/PBC) be left to implementation? (SIDN)
* PTI should be PBC and consider extending PTI membership to IETF and RIRs (NCSG)
* Clarification needed – in which areas will PTI be separate and in which areas are their shared services, need to clarify the roles and responsibilities of PTI Board vs. the ICANN Board (ICANN Board)
* What control mechanisms will PTI have in place? (ICANN Board)
* Complexities of PTI need to be addressed as well as questions concerning what power the Board has, who manages PTI staff and how extra budget requirements will be met (ALAC)
* Technically, PTI cannot be a ‘wholly owned subsidiary’ if a non-profit corporation is used since such an entity cannot have owners (IPC)

**Section III - Proposed Post-Transition Oversight and Accountability – PTI Board**

15 Comments

* Mission of PTI should be strictly contained to the operation of the IANA registries. ICANN designated board with the minimum statutorily required responsibilities and powers is acceptable. (NRO)
* Should PTI be agreed to, the PTI Board must be corporate in nature, holding relevant expertise (auDA)
* Clarification on proposal to ascertain whether there is any conflict with the numbers proposal (CRISP)
* ICANN should play a facilitating role in PTI Board selection, but should not be primarily comprised of ICANN staff who are not associated with the IANA department. Proposed composition: a majority from current IANA functions staff while a limited portion selected by communities. (Chinese Stakeholders)
* PTI Board must be a board of directors, existing ICANN mechanisms should be used to populate PTI Board, if other operational communities join they should also select a member of the PTI Board, needs narrow operational focus. (InternetNZ)
* PTI should be PBC and comprised of representatives from the names, numbers and protocol communities. PTI’s board should be small and operationally focused. PTI Board should be composed of a limited number of representatives from each of the supporting policy making organizations and the PTI itself. Selection and removal should occur according to processes by respective organizations (Internet Governance Project)
* Clarifying questions on PTI (to be provided in FAQ?) (CCG-NLU)
* PTI Board should have limited remit, only focused on implementation and technical expertise should be a key criterion for Board membership. (Google)
* PTI should be responsible for operational decisions of PTI, resource management and forward planning, as well as interaction with ICANN Board. PTI Board should be small with limited and targeted role. Clear definitions of roles and responsibilities of the two boards needed. (Nominet)
* PTI Board and IANA team should continue regular briefings and outreach to the wider community (Nominet)
* PTI Board should have limited functions and duties, PTI Board should have relevant expertise, but does not need to have a majority of members appointed by ICANN (Centre for Democracy & Technology)
* PTI should provide IANA registry services to names, numbers and protocols communities and the PTI Board composed of representatives from each of the organizations (NCSG)
* Mechanism for selecting board members should be community-wide discussed (ISPCP)
* PTI should have limited remit and PTI Board members should be drawn from the ICANN Board (BC)
* PTI Board should not be largely representatives of registries, PTI should serve the overall Internet community (ALAC)

**Section III - Proposed Post-Transition Oversight and Accountability – IANA Statement of Work**

1 Comments (note – one comment has been misplaced, belongs in PTI Board)

* Instead of a contractual arrangement, SOW could also exist under amended ICANN bylaws (auDA)

**Section III - Proposed Post-Transition Oversight and Accountability – IANA Function Review**

24 Comments (one comment is misaligned to section separation review)

* Support for IFR but both ccTLD and gTLD registry representation should be increased to three members from each group. Has the CWG considered circumstances where support is received from one community and not the other? Would such circumstances lead to the refusal to proceed with a special review? Does this then in turn mean that the threshold for commencing a special xc review has been set too high? (auDA)
* Consider adding term-limit language concerning the selection of the IFRRT to ensure diverse participation. An interim process should be included on handling of issues related to IANA functions performance. (US Council for IB)
* No need to include a CSC liaison (AFRALO)
* There should be at least three representatives of ccTLD and gTLD registries, without allowing registries to become a majority of IFR’s members. PTI should not provide the secretariat for the IFR, but could be done through ICANN (InternetNZ)
* The separation review and framework should be fleshed out and clarified before the transition and not left for a later stage. An interim process should be included on handling of issues related to IANA functions performance. (AmCham EU)
* The IFR should occur every 1-2 years, not every 5 years. (Rui Zhong)
* Further details need to be provided on where and how CSC and IFRT are going to be established, IFO support for IFRT might undermine independence (CENR)
* Sufficient consideration should be given to geographical balance of IFRT (KISA)
* CWG should simplify and expedite the IFR process and to develop a clearer, more efficient re-bidding and selection process (Internet Governance Project)
* What will be the consequence of an unfavorable IFR (CCG-NLU)
* The IFRT should include non-members of the ccNSO and that a special review can be triggered by non-members, idem for any structure and processes around reviews (DIFO)
* The ccNSO Council should be responsible for selection ccNSO members, including non-ccNSO aligned ccTLD manager, provided that relevant knowledge and experience present themselves (CIRA)
* Proposed changes to membership: ccNSO – 3, non ccNSO – 1, GNSO 4 (AFNIC)
* CSC should be included as participant in the separation review and appoint 5 people or at least a couple of liaisons to the review (Digilexis)
* Need to include mechanism to ensure that ICANN acts on the IFRT recommendations (Google)
* IFRT should be more balanced, having as many registry appointed members as non-registry appointed members. Mechanism by which a decision will have significant changes with regard to IANA should include opportunities for the registries to veto those changes – to be arranged by CCWG. (SIDN)
* IFRT should bring in a strong representation fro operational communities (Nominet)
* PTI should not provide secretariat, Board should not have the ability to reject IFR recommendations (Centre for Democracy & Technology)
* Periodicity should be more flexible – the schedule could be fixed after the first IFR (ISPCP)
* IFR must be allowed to review the CSC, composition must allow for having at least one alternate per stakeholder. Does IFR only concern naming? (ALAC)
* Composition is skewed towards GNSO – what of non-GNSO representation? GAC and ALAC should each have regional representatives to the IFRT. (NIRA)
* IFRT should be defined more clearly (BC)
* Composition of IFRT should be multistakeholder and not be dominated by registries. IFRT Should be open to participants as well as members. (IPC)
* IFR should be every year in the immediate period after transition and every 2 years in post-transition regime (DCA Trust)

**Section III - Proposed Post-Transition Oversight and Accountability – CSC**

9 Comments

* RIRs would be willing to provide a numbers community liaison to CSC (NRO)
* Numbers community has separate mechanism for service level review, note the possibility of communication between two groups as needed (CRISP)
* Constitutional documents for the CSC must make clear how inappropriate ICANN influence on the CSC or its functions can be assured. The GAC liaison should not be from the same entity as a government-operated TLD. (InternetNZ)
* CCWG proposal acknowledges intention to create CSCI, but it might be more appropriate for the CSC to develop specific Bylaw changes that might be needed. (CCWG-Chairs)
* Further clarity on organizational structure, including juridical profile as well as funding mechanisms of CSC needed (CENTR)
* Budget allocation for independent secretariat should be foreseen (AFNIC)
* Concern about creation of new structure to perform these tasks – scope should be strictly technical, composition should be limited to direct customers and relevant experts or liaisons as the group sees fit. Roles of members and liaisons should be clearly defined. Overall membership should remain small. (Google)
* All deliberations and output should be transparent. CSC should not escalate to ccNSO or GNSO as these are policy bodies. (ALAC)
* Composition of CSC must be sufficiently MS so that CSC is not run by registries. Work needs to be transparent. Should be open to participants as well as members. (IPC)

**Section III - Proposed Post-Transition Oversight and Accountability – SLEs**

5 Comments

* Is development of re-defined SLEs essential prior to transition. Maintain status quo with continuous improvements post-transition. (auDA)
* Transition plan should target further refinement of IANA productivity and efficiency (CENTR)
* Restrict work to what is currently necessary. It might be wise to postpone finalization of this work until later (SIDN).
* While it might be nice to increase commitments, this should be resisted unless there are clear operational reasons for change. There needs to be a clear statement on process to amend and update the SLEs post transition and in response to customer requirements. (Nominet)
* Metrics should be clearly specified as soon as possible. (Nominet)

**Section III - Proposed Post-Transition Oversight and Accountability – Escalation Mechanisms**

3 Comments

* CSC should escalate to the PTI Board who may ask for a review (from the IFR) or any other action (AFRALO)
* Escalation by CSC to GNSO and ccNSO is adding a layer of escalation that may not be necessary. CSC could call for SIFR instead. (Centre for Democracy & Technology)
* Inconsistencies between CSC and its responsibilities and the IFR (NCSG)

**Section III - Proposed Post-Transition Oversight and Accountability – Separation Review**

11 Comments

* Lack of details (auDA)
* Lack of detail, mechanisms to accomplish separability should be explicitly included (US Council for IB)
* Details must be developed and should be subject to community consultation before the proposal is finalized, IFR should lead to community convened CWG – not by ICANN Board, no role for Board in approving decision for RFP (InternetNZ)
* Proposal should more clearly layout the process by which separation of the IANA function from ICANN could be effected. Separation should only occur after significant consultation with the community (CIRA)
* Separation review should only occur if it is supported by a majority of the direct customers of the IANA naming functions. Registries are underrepresented in CWG – weighted representation by registries should be used. (RySG/RrSG)
* Lack of details (Google)
* Separation review should only be started following an open consultation and with the support of the ccNSO and RySG. RT should include strong representation from registires. (Nominet)
* Lack of details. Uncomfortable with role of the Board. (Centre for Democracy & Technology)
* IFRT should make a recommendation regarding separation of other measures, these recommendations should then be subject to GNSO/ccNSO approval, Board approval and if ICANN is reconfigured, as a membership organization, Members approval. This should then trigger a separation process with a MS CWG running that process. (IPC)

**Section III – Proposed Post-Transition Oversight and Accountability – Framework for Transition to Successor IFO**

2 Comments

* Mechanisms to accomplish separatbility should be explicitly included in the CWG proposal (US Council for IB)
* There should be a cost estimate for the successor IFO, which should be benchmarked against current costs (ISPCP)

**Section III – Proposed Post-Transition Oversight and Accountability – Root Zone Maintainer Function**

6 Comments

* Need to be consistent when referring to the NTIA authorization function (CENTR)
* Treat frivolous redelegation requests with care (CENTR)
* Same principles of accountability including oversight by the community should apply to RZM and that should be reflected in the current proposal. Any major change in software and new steps on the automation should be reviewed by the CSC. (AFNIC)
* IFO should check the accuracy of proposed changes. The study should be carried out between IFO and direct customers (Nominet)
* A replacement of the approval function for changes to the root zone management architecture is needed. A new advisory committee which consists of experts should be created to ceal with these. (JPNIC)
* Not clear what is meant with ‘proposed entity’ (BC)

**Section III – Proposed Post-Transition Oversight and Accountability – IANA Budget**

7 Comments

* Similar level of clarity can be delivered through ICANN internal divisions (auDA)
* How would IANA functions be paid for if one of the operational communities would decide to end the relationship with ICANN (US Council for IB)
* Does not oppose, but notes a different approach to the budget in the numbers community (CRISP)
* Consider InternetNZ experience with regards to budget development (InternetNZ)
* CWG will need to develop a proposed process for the IANA-specific budget review (CCWG)
* Need for a budget to support R&D should be included (ALAC)
* PTI should be adequately funded and need to ensure that expenditures are appropriate – should be clarified (IPC)

**Section III – Implications for the interface between the IANA Functions and existing policy arrangements**

1 Comment

* Lack of details. Need to emphasize the absolute imperative of ensuring the separation between the policy development processes and the IANA functions (NCSG)

**Section IV – Transition Implications**

2 Comments

* Lack of detail – should include impact on community involvement, uncertainties about funding, the implications of the separation process and the effects of the CCWG-Accountability proposal. (RySG/RrSG)
* Lack of detail - implications and potential issues arising from acting to implement the proposal are critically important to any judgment about whether to endorse the proposal (IPC)

**Section V – NTIA Requirements**

1 Comment

* Suggestions in relation to content for this section (RySG/RrSG)

**Annex B – Oversight mechanisms in the NTIA IANA Functions Contract**

1 Comment

* CWG to replicate these oversight mechanisms (IPC)

**Annex C – Principles and Criteria**

1 Comment

* Suggestion to add to point 7 ‘be appealed by significantly interested parties. Furthermore they must give adequate guarantees of independence through uncostly procedures’. (IPC)

**Annex F – IANA Function Reviews**

3 Comment

* Need to ensure transparency and limited scope (RySG/RrSG)
* Concerns about composition – suggestion to increase registry representation to four members each for both ccTLDs and gTLDs. (Nominet)
* Concerns about proposed composition – participants from IPC should be allowed to participate as currently there is only one seat for CSG which does not foresee a seat at the table for the IPC (IPC)

**Annex G – Proposed Charter for CSC**

2 Comments

* Conflict between appointment of liaisons in accordance with internal processes and must be approved by CSC. Not clear how geographic diversity or skills sets will be taken into account. Do term limits and staggered appointment rules apply just to members? CSC charter should be approved by the community and not just ccNSO and GNSO. (ALAC)
* IPC would be represented by a singly individual representing the RySG, the NCSG and the CSG. CWG should rethink this so that global multistakeholder community can participate in the oversight role being handed on from the NTIA (IPC).

**Annex L – Separation Review**

1 Comment

* No good reason why PTI would transfer out of ICANN. Should separation of IANA functions operator role from ICANN be necessary, this should be through an RFP led process and the ICANN PTI subsidiary/affiliate should be wound up. Need for process for the development of the RFP. (Nominet)

**Other comments**

4 Comments

* Is it envisioned that PTI will operate the IANA functions as required by the numbers and protocol communities as well as the root zone management function? If so , how can some of this complexity be moderated to allow adequate space for other operational communities to participate, if they wish, while still keeping in line with the narrow technical scope of the IANA functions. (ICANN Board)
* What is the expected timeline for implementation (ICANN Board)
* What steps for escalation mechanisms and separation ensure meeting the criteria set out by NTIA and are there ways to manage that within the respective operational communities (ICANN Board)
* The proposal should be clear of the impact on delegation / transfer / revocation (LACTLD)